

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CROSSINGS RECOVERY SYSTEMS, INC., et al.,

Plaintiffs,

-against-

CHRISTINA MAZZUCO, et al.,

Defendants.

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**MEMORANDUM OF DECISION  
AND ORDER**

04-CV-1757 (DRH)(ARL)

**HURLEY, District Judge:**

On October 27, 2004, the Court granted Plaintiffs' motion to remand this case to the New York State Supreme Court, Suffolk County and for attorneys' fees. Thereafter, on December 1, 2004, the Court referred this matter to United States Magistrate Judge Arlene R. Lindsay for a determination of the amount of attorneys' fees to be awarded plaintiffs.

On August 10, 2005, Magistrate Judge Lindsay issued a Report and Recommendation, recommending that plaintiffs be awarded attorneys' fees in the amount of \$10,050.00 and costs in the amount of \$20.00, for a total award of \$10,070.00. She further recommended that all of the defendants be held jointly and severally liable for the attorneys' fee award. Defendant Heather Dale ("Dale") filed timely objections to the Report and Recommendation and plaintiffs responded to her objections.

Pursuant to Federal Rule of Civil Procedure 72(a), the Court has reviewed the Report and Recommendation and the Court concurs in both its reasoning and its result. Accordingly, the Court denies Dale's objections, finds that the Report and Recommendation is not "clearly erroneous or contrary to law," *see* Fed. R. Civ. P. 72(a), and adopts the August 10, 2005 Report and Recommendation of Judge Lindsay as if set forth herein. Plaintiffs are hereby

awarded attorneys' fees and costs against all defendants, who are held jointly and severally liable, in the amount of \$10,070.00.

**SO ORDERED.**

Dated: Central Islip, N.Y.  
October 11, 2005

/s \_\_\_\_\_  
Denis R. Hurley, U.S.D.J.